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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,238

09/24/2004

Johan Agnes Emile Wouters

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2612

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/509,238	Applicant(s) WOUTERS, JOHAN AGNES EMILE	
	Examiner VERNAL U. BROWN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communication filed on 6/19/2008.

Response to Amendment

The examiner has acknowledged the amendment of claims 1-20.

Response to Arguments

Applicant's arguments filed 6/09/2008 have been fully considered but they are not persuasive.

Applicant argues on page 11 that the programming of a plurality of macro keys as disclosed by Lin does not correspond to the creation of a user code set as claimed. It is the examiner's position that the reference of Lin teaches that the buttons defined in a macro is linked to remote control codes (paragraph 040). It also the examiner's position that the limitation of the remote control device is arranged for enabling combination from a plurality of preset code set into a user code set for controlling the device to be control is disclosed by Lin et al. because Lin teaches the various button defined in the macro is linked to remote control codes (paragraph 041).

Regarding applicant argument regarding the remote control code provided by a third party, the reference of Lin teaches storing remote control codes of various manufacturer and this code is also used in creating a macro (paragraph 042) and placing the remote control in a learning mode so as to enable the remote control to learn new code (paragraph 043). The storing of remote control code of various manufacturers represents a third party code and this code is also used in creating a macro.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al. US Patent Application 20010017615.

Regarding claim 1, Lin et al. teaches a remote control device comprising objects keys provided by the VCR, DVD, and Sat keys (figure2), a selector key (macro key M) for linking preset IR code sets to the object keys to enable the user to control function of a device to be controlled by the remote control device and combining a number of preset IR code sets into a single code set for controlling a device by using a macro to link the different code set of various devices to form a new code set to control a plurality of devices (paragraph 040). Lin et al. teaches a touch screen for selecting the device to be controlled and the selection process is repeated for the various to appliance to be controlled by the macro (paragraph 035) and therefore

the preset IR code and an activator provided by menu button 23 for creating a link between the preset IR code and the object key (paragraph 041). Lin teaches the various button defined in the macro are linked to remote control codes (paragraph 041) and therefore teaches remote control device is arranged for enabling combination from a plurality of preset code set into a user code set for controlling the device to be control. Lin teaches storing remote control codes of various manufacturer and this code is also used in creating a macro (paragraph 042) and placing the remote control in a learning mode so as to enable the remote control to learn new code (paragraph 043). The storing of remote control code of various manufacturers represents a third party code and this code is also used in creating a macro.

Regarding claims 2 and 9, Lin et al teach, with reference to FIG. 6 which shows the structure of the processing unit, a microprocessor 30 and a memory unit 31 (equivalent to the claimed "storage means") connected to the microprocessor 30. The microprocessor 30 is further connected to the touch-type screen 11, infrared transmitted 12, infrared receiver 13 and basic button set 20. The memory unit 31 (equivalent to the claimed "storage means") is provided to store various control commands, user-defined data and default remote control codes for different manufacturers (functionally equivalent to the claimed "preset code sets") {see Lin et al, paragraph 0042}.

Regarding claim 3, Lin et al. teaches the remote control is multimode because the remote control operates in the TV, DVD, VCR and Sat mode (paragraph 036).

Regarding claims 4 and 6, Lin et al. teaches a proposer provided by the previous page button 111 and the next page button 112 at the lower portion of the screen are provided for the user to change the displayed page (paragraph 037).

Regarding claim 5, Lin et al. teaches a verifier by displaying TV when the key representing the code set for the TV is selected (paragraph 037).

Regarding claim 7, Lin et al. teaches communicating the unlink key to user by displaying the keys to the user (figure 18).

Regarding claim 8, Lin et al. teaches the remote control includes a touch screen (paragraph 035).

Regarding claim 10, Claim 10 recites a method for practicing the device of claim 1 and is therefore rejected for the same reasons.

Regarding claim 11, Claim 11 recites a method for practicing the device of claim 4 and therefore rejected for the same reasons.

Regarding claim 12, Claim 11 recites a method for practicing the device of claim 6 and therefore rejected for the same reasons.

Regarding claim 13, Claim 11 recites a method for practicing the device of claim 7 and therefore rejected for the same reasons.

Regarding claim 14, Claim 14 recites a method for practicing the device of claim 9 and therefore rejected for the same reasons.

Regarding claim 15, Claim 15 recites a method for practicing the device of claim 2 and therefore rejected for the same reasons.

Regarding claims 16, 19, and 20, Lin et al. teaches a remote control device comprising objects keys provided by the VCR, DVD, and Sat keys (figure2) and a memory (31) for storing IR codes and a executable program provided by macros for enable the use to combine a number of preset IR code sets into a single code set and to link the different code set of various devices to form a new code set to control a plurality of devices (paragraph 040). Lin et al. teaches Lin et al. teaches a touch screen for selecting the device to be controlled and the selection process is repeated for the various to appliance to be controlled by the macro (paragraph 035). Lin teaches the various button defined in the macro are linked to remote control codes (paragraph 041) and therefore teaches remote control device is arranged for enabling combination from a plurality of preset code set into a user code set for controlling the device to be control. Lin teaches storing remote control codes of various manufacturer and this code is also used in creating a macro (paragraph 042) and placing the remote control in a learning mode so as to enable the remote control to learn new code (paragraph 043). The storing of remote control code of various manufacturers represents a third party code and this code is also used in creating a macro.

Regarding claims 17-18, Lin et al. teaches a proposer provided by the previous page button 111 and the next page button 112 at the lower portion of the screen are provided for the user to change the displayed page (paragraph 037).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Examiner, Art Unit 2612
August 7, 2008